

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HUAWEI TECHNOLOGIES CO. LTD.	§	Case No. 2:16-CV-0052-JRG-RSP
	§	Case No. 2:16-CV-0055-JRG-RSP
v.	§	Case No. 2:16-CV-0056-JRG-RSP
	§	Case No. 2:16-CV-0057-JRG-RSP
T-MOBILE US, INC., ET AL.	§	

**Motions Hearing
MAG. JUDGE ROY PAYNE PRESIDING
August 22, 2017**

OPEN: 9:00 am

ADJOURN: 4:50 pm

ATTORNEYS FOR PLAINTIFF:	See attached
ATTORNEY FOR DEFENDANTS:	See attached
LAW CLERKS:	Mike Paul Clint South
COURT REPORTER:	Shelly Holmes
COURTROOM DEPUTY:	Becky Andrews

Court opened. Case called. Mark Mann announced ready and introduced co-counsel. Glenn Thames announced ready for T-Mobile and introduced co-counsel. Deron Dacus also announced ready for T-Mobile and introduced co-counsel. Phillip Philbin announced ready for Ericsson and introduced co-counsel.

Mark Mann proposed an order of the motions to be argued today. The Court discussed with the parties the trial schedule and other housekeeping matters. Josh Krevitt responded for defendant.

Tom Reger began argument on Plaintiff's Motion to Strike Silva Errata (Dkt. No. 253). Joe Mueller responded. The motion was denied.

Mr. Reger then argued Plaintiff's Motion to Compel Improperly Withheld Documents (Dkt. No. 291). Mark Selwyn responded. The motion was denied.

The Court then heard argument on Defendant's Motion for Partial Summary Judgment of No Pre-Suit Damages (Dkt. No. 256). Mark Reiter argued for defendant. David Barkan argued for plaintiff.

David Conrad argued Plaintiff's Motion for Leave to File Excess Pages in Its Response to

Defendants Motion to Exclude the Damages Testimony of Vander Veen (Dkt. No. 268). Ernest Hsin responded for T-Mobile.

After the break, the Court informed the parties that the jury selection for the 2:16cv52 case will be October 2, 2017. The trial will begin on Tuesday, October 10, 2017. The second case will possibly be scheduled for November.

Ernest Hsin argued Defendant's Motion for Summary Judgment (Partial) of Non-Infringement of U.S. Patent No. 8,867,339 (Dkt. No. 262). Ricardo Bonillo responded for Huawei.

David Conrad then argued Plaintiff's Motion to Strike Portions of Mr. Mark Lanning's Rebuttal Report (Dkt. No. 254). Mike Newton responded.

After the lunch break, Mike Newton argued Defendants' Motion for Summary Judgment of Non-Infringement of U.S. Patent No. 9,235,462 (Dkt. No. 258). David Conrad responded.

The Court then heard argument on Plaintiff's Motion for Partial Summary Judgment on Certain of T-Mobile's Counterclaims and Affirmative Defenses (Dkt. No. 257). David Barkan argued for plaintiff. Josh Krevitt responded for defendants.

Mr. Hsin presented Defendants' Motion for Summary Judgment (Partial) of No Infringement of U.S. Patent No. 8, 867,339 Under the Doctrine of Equivalents (Dkt. No. 263). David Conrad responded.

Mark Reiter then argued Defendants' Motion Under *Daubert* to Exclude the Damages Testimony of Dr. Thomas D. Vander Veen (Dkt. No. 260). Ruffin Cordell responded on behalf of Huawei.

Cynthia Vreeland argued Defendant, T-Mobile's Motion to Strike Arguments from the Nettleton Initial Report (Dkt. No. 261). Ricardo Bonilla responded.

The Court took the motions under submission.